

PROB 12B
(7/93)

UNITED STATES DISTRICT COURT

for

Middle District of Pennsylvania/Harrisburg

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

Name of Offender: Benjamin Dipperry Case Number: 1:03-CR-99-250-22
Name of Sentencing Judicial Officer: The Honorable Christopher C. Conner, U. S. District Judge
Date of Original Sentence: October 21, 2004
Original Offense: 21 USC § 844(a) - Unlawful possession of crack cocaine
Original Sentence: 6 months imprisonment; one year supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: January 21, 2005

PETITIONING THE COURT

[] To extend the term of supervision for _____, for a total term of _____ years.
[X] To modify the conditions of supervision as follows:

The defendant shall remain at his residence for a period of three months unless given permission in advance by the probation officer to be elsewhere. The defendant shall maintain a telephone without special features at his place of residence for the three month period. The probation officer shall make provisions for the defendant's absence from his residence for employment, medical/mental health services, religious services, and necessary shopping. Said home detention shall commence as directed by the probation officer and may be electronically monitored.

CAUSE

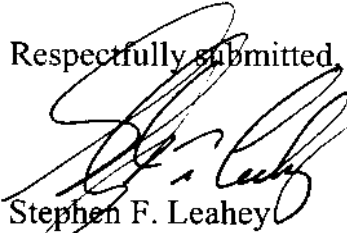
On April 11, 2005, Mr. Dipperry, prior to submitting a urine specimen which tested positive for heroin, admitted to using heroin and marijuana. Due to his drug use and his request for treatment, he was directed to attend counseling. After receiving an evaluation, he began outpatient treatment on June 10, 2005. On June 21, 2005, again, prior to submitting a urine specimen, Mr. Dipperry informed the probation officer that he recently used heroin and marijuana.

Except for his drug use, Mr. Dipperry has responded well to supervision and is actively involved in the treatment process. Nevertheless, his conduct requires some type of sanction and the imposition of a special condition requiring three months home detention seems appropriate at this time. Further, Mr. Dipperry believes such a sanction will assist him in meeting his treatment goals and has agreed to pay for the costs of electronic monitoring at a cost not to exceed the daily contractual rate.

Attached is a Waiver of Hearing to Modify Conditions which was signed by Mr. Dippery.


Respectfully submitted,

by



Stephen F. Leahey
U.S. Probation Officer
Date: June 22, 2005

THE COURT ORDERS:

- ☐ No Action
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer

6/22/05
Date

FILED
HARRISBURG, PA
JUN 22 2005
MARY E. D'ANDREA, CLERK
Per 
Deputy Clerk

UNITED STATES DISTRICT COURT

Middle District of Pennsylvania

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release:

The defendant shall remain at his residence for a period of three months unless given permission in advance by the probation officer to be elsewhere. The defendant shall maintain a telephone without special features at his place of residence for the three month period. The probation officer shall make provisions for the defendant's absence from his residence for employment, medical/mental health services, religious services, and necessary shopping. Said home detention shall commence as directed by the probation officer and may be electronically monitored.

Witness:


U.S. Probation Officer

Signed:


Supervised Releasee